



Frequently Asked Questions Smoke-Free Air Act Workplaces

The Smoke-Free Air Act will go into effect April 15, 2006. This Act protects New Jersey residents at work and in public from deadly secondhand smoke. The Act states that *tobacco smoke constitutes a substantial health hazard*, and therefore, *it is clearly in the public interest to prohibit smoking in enclosed indoor places*.

Q: What is secondhand smoke?

A: Secondhand smoke is a combination of a smoker's exhaled smoke and the smoke from a burning cigarette. It contains more than 4,000 chemicals, including 200 poisons and 69 known and probable cancer-causing substances. The U.S. Environmental Protection Agency estimates that secondhand smoke kills an estimated 62,000 nonsmokers each year in the United States. This includes between 1,000 and 1,800 New Jerseyans.

Q: How can I file a complaint?

A: You can file a complaint against a business that violates the law by contacting your local health department. You can find the telephone number in the government section of your local telephone book.

Q: What are the penalties?

A: A person who smokes in violation of the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

A person in charge of an indoor public place or workplace who refuses or fails to comply with the Act is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

Q: Do I need to provide a smoking break room for my employees?

A: No. In fact, the Act generally applies to all indoor public places and workplaces, and break rooms are not allowed. Businesses with separately ventilated rooms for their smoking employees or smoking customers cannot allow smoking in these rooms or anywhere else in the building.

Q: Can I smoke in my private office in a commercial work establishment?

A: No.

Q: How are tobacco retail establishments and cigar bars defined by the law?

A: A tobacco retail establishment will conduct at least 51% of its retail business in the sale of tobacco products and accessories in which the sale of other products is merely incidental. A cigar bar or lounge must have generated 15% or more of total annual gross income from the sale of tobacco products in the calendar year ending December 31, 2004.

To learn more about the Smoke-Free Air Act visit www.smokefree.nj.gov.

If you smoke and want to quit, or know someone who wants to quit, call NJ Quitline at 1-866-NJ-STOPS (1-866-657-8677) or visit NJ QuitNet® at www.nj.quitnet.com. Both services provide free and personal professional counseling and support. Or visit www.njquit2win.com for free materials that you can use to create a "quit smoking program" in work or meeting places.



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